

20.08.2024
Court No.09
Item no.8
CP

WPA No. 18990 of 2024

Smt. Lakshmi Das
Vs.
Calcutta Electric Supply Corporation & ors.

Mr. Sekhar Mustaphi
Mr. Saptarshi Chakraborty
... for the Petitioner.

Dr. Madhusudan Saha Roy
....for the CESC Ltd.

Ms. Maria Kundu
.....for the respondent no. 3.

The writ petition is disposed of directing the CESC Ltd. to grant connection to the petitioner from the same meter board position by way of a loop meter, within one month from the date of communication of this order.

The contention of the landlord is that the petitioner is neither an occupier nor a tenant. It is submitted that criminal proceedings as also a civil suit for eviction are pending.

The fact that an eviction suit is pending, itself, shows that the petitioner has some kind of occupation in the premises in question. Thus, connection cannot be denied to the petitioner, till the petitioner is evicted.

It is made clear that the connection shall not create any equity in favour of the petitioner. The

petitioner cannot claim any advantage in the suit on account of such connection. Such connection shall be subject to the final decision in the eviction suit.

Police protection shall be given to the CESC Ltd. at the cost of the petitioner.

The writ petition is disposed of accordingly.

There shall be no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)